C. Remarks

The claims are 1-6, with claim 1 being the sole independent claim. Claim 1 has been amended solely for clarification in accordance with the description in the specification at, inter alia, page 15, line 23 - page 16, line 2, and page 17, lines 14-17, as well as in Figs. 1A-2C. No new matter has been added. Reconsideration of the present claims is expressly requested.

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,992,974 (Miyata). Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Miyata. The grounds of rejection are respectfully traversed.

In the Advisory Action dated May 29, 2003, the Examiner deemed Miyata's compensation patterns to be represented collectively by reference numerals 7 and 2 in Fig. 5H. Applicant respectfully disagrees.

In the present invention, the compensation pattens are formed over the region of the nozzle plate, which is subsequently etched in order to form the liquid chamber. This etching process is conducted using the compensation patterns as a mask, thereby forming the liquid chamber and removing the compensation patterns that extend into the liquid chamber region (see page 15, line 23 - page 16, line 2; page 17, lines 14-17; Figs. 2A - 2C). Applicants have amended claim 1 in order to clarify the recitation of this process.

The Examiner will note that neither the ink cavity 2 nor the nozzle opening 7 in Miyata are used as a mask to form the liquid chamber. Furthermore, the ink cavity and the nozzle opening in Miyata are not formed by using compensation patterns extending into the liquid chamber region, as is evident in Miyata's Figs. 3(g), 3(h), 5(d) and 5(e), where the silicon monocrystalline substrate is etched using a silicon dioxide layer as a mask. The

silicon dioxide mask does not extend over the portions of the substrate that are removed by etching to form a liquid chamber.

Also, in the present invention, both the liquid chamber and the plurality of nozzles are formed on the top plate. However, in Fig. 5(h) of Miyata, the liquid chamber and the nozzle clearly are not formed on the same plate. Specifically, while the nozzle plate 6 contains a nozzle 7, it does not contain a liquid chamber. The liquid chamber in Miyata is formed in the based material 42 via anisotropic etching, as shown in Fig. 5(a)-(g). Then, the nozzle plate is bonded to this etched base material (col. 7, lines 42-52).

Accordingly, it is clear that Miyata cannot anticipate the presently claimed invention or render it unpatentable. Wherefore, Applicant respectfully requests that the above rejections be withdrawn and the present application be passed to issue.

This Amendment After Final Rejection should be entered, because it places the case in allowable form. It is clear that the changes made in claim 1 do not raise new issues requiring further consideration and/or search. Alternatively, this Amendment places the case in better form for possible appeal.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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